

In the News

Family Law Forms Online in San Mateo

Filling out family law forms just got easier for residents of San Mateo County.

Articles in the December 15, 2001, edition of the *Redwood City Daily News* and the December 25 issue of *The Independent* (Belmont and San Carlos) featured the Superior Court of San Mateo County's newest tool to help those involved in family law matters—its new interactive family law Web site. The articles describe how the site assists users in determining which forms they need to use by asking them a series of questions. Based on the user's response to the questions, the site automatically fills out the forms. The articles go on to explain that once users have completed the necessary information, the site enables them to preview their forms, submit them to the courthouse electronically, and then print them out for their records. Both newspapers applauded the court for increasing access for litigants who might have trouble getting to the courthouse.

The interactive site, which debuted in January, can be accessed by logging on to the court's Web site at www.sanmateocourt.org/elf/dispatcher.jsp. It assists those who need to file for divorce, separation, child custody and support, paternity, and spousal support. As described in the December newspaper articles, the court also plans to offer the interactive program in Spanish and Tagalog, as well as add domestic violence forms to those that litigants can fill out online.

The court initiated the newspaper coverage by issuing a news release and inviting the press to a formal presentation of the Web site to the San Mateo County Board of Supervisors. Thanks to the court's media efforts, San Mateo County citizens now have information that may save them a trip to the courthouse.

Other court-related events in the news:



“Come In! Courts Can Be Friendly,” *Daily Journal*, November 14, 2001

Reported on a program at Los Angeles County's Alhambra courthouse that utilizes volunteers and an information desk to make the court more user-friendly to its large Chinese community.

“Homeless Court Gives a Clean Slate and a Fresh Start,” *Los Angeles Times*, November 9, 2001

Described the Superior Court of Los Angeles County's homeless court program, which aims to help defendants clear outstanding “quality of life” criminal offenses, such as sleeping in public and illegal use of a shopping cart.

“Night Court Comes to Inyo,” *Inyo Register*, November 6, 2001

Judge Dean T. Stout's column in the paper's “Court Corner” section detailed the court's evening sessions at which it hears child support cases so parents do not have to miss work.

“Teachers Learn Lesson About Justice System,” *Daily Breeze* (Torrance), October 3, 2001

Featured the Superior Court of Los Angeles County's Teachers' Courthouse Seminar program, which is designed to help teachers inform their government students about the justice system. ■

Courts Achieve Their Community Outreach Goals

A recent independent evaluation of the Judicial Council's three-year statewide planning and community outreach project concluded that the project's overall goal of creating courts that are more community-focused has been achieved.

The evaluation, conducted by the Justice Management Institute (JMI), found that the statewide planning and outreach project is helping California's courts establish closer and more meaningful ties with the communities they serve. It also found that the project, which is ongoing and funded in part by a grant from the State Justice Institute (SJI), has already achieved several key initial objectives.

The JMI evaluation cites significant accomplishments, including the establishment of a process for developing, reviewing, and updating community-focused strategic plans and helping California citizens better understand the role of courts and judges in our system of government. It highlights several lessons from California's process that may be valuable to other court

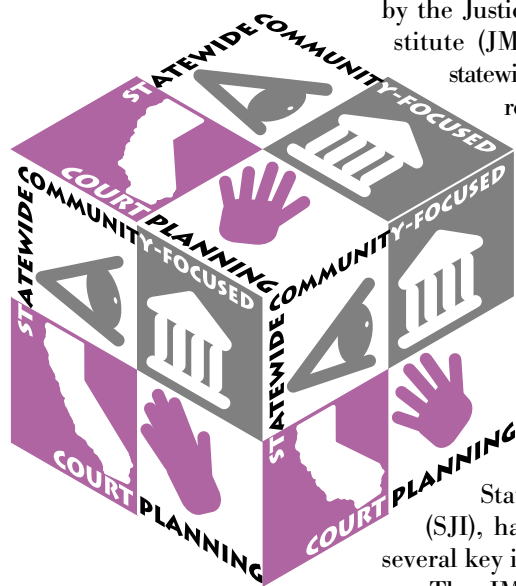
systems, including the value of a statewide effort, the importance of matching process to local court cultures, the advantages of consultant/expert assistance, and the benefits of adopting rules of court to deal with the perception of judicial ethical issues that arise when judges interact with the community.

The Judicial Council undertook the outreach project in response to indicators of eroding public confidence in the courts. Believing that local court planning that includes community involvement is critical to improving court operations, the council established the Special Task Force on Court/Community Outreach in 1997 to encourage the courts to form planning teams and to open direct and responsive dialogues with the communities they serve. The SJI grant enabled the task force to stage a statewide training conference in 1998 at which court planning teams were introduced to a five-step strategic planning model emphasizing community involvement.

To carry on the efforts of the special task force after its sunset in 1998, the Judicial Council established the Community-Focused Court Planning Implementation Committee. The implementation committee

augmented initial project efforts by using SJI funds to finance an instructional planning video and accompanying manual, as well as to establish a central clearinghouse on community-focused strategic planning and community outreach programs and resources.

Products of the outreach project have been widely distributed statewide and nationally, including to SJI libraries, and many of the materials are available for downloading at the California Court and Community Collaboration Web site at www.courtinfo.ca.gov/programs/community/. ■



CASA Grants Awarded

The Judicial Council in November approved the distribution of \$1.825 million in fiscal year 2001-2002 grant funding to assist local Court Appointed Special Advocate (CASA) programs in California's trial courts.

CASA programs largely rely on volunteers to provide assistance to abused and neglected children who are the subjects of judicial proceedings. Legislation in 1988 amended the California Welfare and Institutions Code to require the Judicial Council to establish guidelines encouraging the development of CASA programs in local courts. The grant program is intended to provide funds to encourage counties to establish or expand these programs.

In August 2001, a request for proposals was sent to each existing CASA program and to county courts and organizations potentially interested in starting a CASA program. In addition to the two traditional CASA grant

categories (existing and new programs), a new funding option was offered for fiscal year 2001-2002: counties with courts or organizations interested in beginning the process of developing a CASA program could apply for a development grant. All grant proposals were reviewed by a selection committee of members drawn from the council's Family and Juvenile Law Advisory Committee and the Administrative Office of the Courts' Center for Families, Children & the Courts.

CASA grants were distributed to 41 counties, including funds to support three new programs (San Joaquin, Solano, and Stanislaus Counties) and one new development grant (Amador County).

For more information on the CASA grant program, contact Stephanie Leonard, 415-865-7682; e-mail: stephanie.leonard@jud.ca.gov. ■

Master Plan for Court Facilities Under Way

Yes, there is a plan.

In an effort to provide the superior court of each county with a practical, feasible vision of their current and future facility needs, the Administrative Office of the Courts (AOC) has begun a master planning project for the trial courts throughout the state.

The planning effort builds on the work of the Task Force on Court Facilities, which issued its final report to the Governor, Judicial Council, and the Legislature on October 1, 2001. As part of its report, the task force broadly outlined the need for new courthouses and improvements to existing trial court facilities. The AOC and the trial courts, working from the general findings of the task force, are developing more-focused, specific master plans for each county court.

Each superior court master plan will consider:

- ❑ What information is needed to extend the projections of the task force to the year 2022;
- ❑ Priorities and criteria to guide development and evaluation of various master plan scenarios;
- ❑ Projections of populations, caseloads, judgeships, and staffing;
- ❑ Current status of existing facilities, site and infrastructure needs, prioritization of assets, deferred-maintenance issues, Americans With Disabilities Act issues, physical planning opportunities to better utilize existing facilities, and physical planning constraints; and
- ❑ Initial capital costs and operational costs, expansion opportunities, staff efficiencies, public convenience, land avail-

ability, security, compliance with building standards and trial court guidelines, shared-use requirements, reuse potential of existing buildings, and fire and life safety issues.

The AOC, court executives, judges, and county officials will work together to guide the master planning for each county court. In April, a selection committee, which included representatives from the trial courts, picked two consultant teams to assist in the development of the master plans. Each consultant team works with a county court steering committee to develop a master plan by conducting a needs analysis, analyzing up-to-

date demographic figures from the Department of Finance, and inspecting existing court facilities. The consultant will then define alternatives, resources, practical aspects, and financial impacts and present several options for the master plan.

Nineteen master plans are scheduled to be completed in the current fiscal year.

● Courts interested in being included in the next group of master plans or in reviewing an example of a completed plan should contact Harriet Raphael, AOC Facilities Unit, 415-865-7976; e-mail: harriet.raaphael@jud.ca.gov. ■

Grants Aid Family Treatment Courts

In November the Administrative Office of the Courts (AOC) granted a total of \$378,000 to assist counties in establishing new or enhancing existing family treatment courts.

The Judicial Council's Collaborative Justice Courts Advisory Committee reviewed the applications and recommended the 2001-2002 fiscal year awards. The AOC awarded 14 grants, averaging \$30,000, for programs representing 12 different counties.

The grant funding will help family treatment courts provide resources to its users, such as:

- ✓ Family treatment court coordinators;

- ✓ Treatment services (including assessment, case management, and residential services);
- ✓ Drug testing;
- ✓ Rehabilitation, vocational training, job placement, and health services;
- ✓ Child care; and
- ✓ Educational materials.

Courts can use this grant funding for family treatment court expenses dating back to October 2001.

● For more information, contact Lisa Lightman, Executive Office Programs, 415-865-7614; e-mail: lisa.lightman@jud.ca.gov. ■

Family Treatment Court Grant Recipients

Following is a list of the counties that received family treatment court grants for fiscal year 2001-2002 and the programs they will help to fund.

Butte	Family Treatment Court
Contra Costa	Domestic Violence Court
Fresno	Family Treatment Court (Planning)
Nevada	Family Treatment Services Court
Placer	Family Treatment Court
Sacramento	Juvenile Dependency Court
San Diego (North)	Juvenile Dependency Court
San Diego (Central)	Juvenile Dependency Court
San Joaquin	Family Treatment Court
Santa Clara	Juvenile Dependency Treatment Court
Santa Clara	Family Treatment Court
Solano	Dependency Court
Stanislaus	S.A.F.E. (Substance Abuse Family Education) Court
Ventura	Dependency Court

CountyProfile Humboldt



The main courthouse is in Eureka and was dedicated in April 1960.

Geographic area: 4,053 square miles, located along the northwestern coast of California, situated in the heart of the coastal redwood region

Population: According to the 2000 U.S. census, the population is 126,518. By 2020, the population is expected to grow by more than 10 percent to 141,092.

Demographics: Age: 0-19 ≈ 27%; 20-39 ≈ 29%; 40-59 ≈ 28%; 60-79 ≈ 13%; 80+ ≈ 3%

Race/Ethnicity: white ≈ 81%; Hispanic/Latino ≈ 6%; American Indian/Alaska Native ≈ 5%; black/African American ≈ 1%; Asian ≈ 1%; some other race/ethnicity ≈ 2%; two or more races/ethnicities ≈ 4%

Number of court locations: 4

Number of authorized judges: 7

Number of court staff: 87

Caseload: Filings for fiscal year 2000-2001 totaled 30,493

Annual court operating budget: \$5.8 million as of January 2001

Presiding judge: Dale A. Reinholdtsen

Executive officer: Dwight W. Clark

Of note: Humboldt County is home to some of the world's oldest and tallest trees. Its old-growth coast redwoods can live to be 2,000 years old and grow to more than 300 feet tall.

Sources: Superior Court of Humboldt County; U.S. Census Bureau; California State Department of Finance



Judge Donna J. Hitchens Selected for Aranda Access to Justice Award



Judge Donna J.
Hitchens

Superior Court of San Francisco County Judge Donna J. Hitchens is the 2001 recipient of the Benjamin Aranda III Access to Justice Award. Chief Justice Ronald M. George will present the award to Judge Hitchens during the California Judicial Administration Conference, being held January 30–February 1 in San Francisco.

Sponsored by the Judicial Council, the State Bar, and the California Judges Association, the award is presented annually to a trial judge or appellate justice whose activities demonstrate a long-term commitment to improving access to the courts for low- and moderate-income Californians. It is named for the late Judge Benjamin Aranda III, who was known for his tireless efforts to promote fairness in and access to the courts. Prior recipients of the award include Superior Court of San Diego County Judge Judith McConnell, Superior Court of Los Angeles County Judge Veronica S. McBeth, and Superior Court of Ventura County Judge Charles W. Campbell, Jr.

In December 1997, Judge Hitchens, motivated by a commit-

ment to improve the system, consolidated San Francisco County's juvenile and family courts into one Unified Family Court. As presiding judge of the Unified Family Court, she has implemented many programs that seek to improve, on behalf of low-income families and children, the availability and accessibility of legal services in connection with matters pending before the courts.

Increasing access for self-represented litigants in family court is a top priority for Judge Hitchens. In 2001, in collaboration with the Bar Association of San Francisco, she established the court's Family Law Self-Help Center to assist self-represented litigants in family law matters. The center unites the efforts of the Family Court Facilitator's Office and volunteers from the private bar in serving family law litigants. She also has established a committee within the court to explore ways San Francisco could better serve self-represented litigants by integrating various services throughout the court system. The efforts of the committee to date have resulted in the removal of intimidating signage

from the clerk's office, development of an educational process for clerks on the help they can provide to litigants, production of a self-help manual for litigants with traffic violations, and implementation of a workshop for small claims litigants. Judge Hitchens also organized two Family Court Jamborees. At these one-day conferences, judicial officers, attorneys, legal and community-based service providers, mental health providers, and court staff discuss and plan concrete changes for the family law and dependency courts that improve operation and accessibility, particularly for self-represented litigants.

Judge Hitchens has been instrumental in creating three projects that have given a voice to those in the juvenile courts who traditionally may have felt disenfranchised by the system. The first of these programs is the Dependency Mediation Program, where parents who have been involved in dependency proceedings are trained to act as mediators. Parents involved with the program say they feel understood and heard by these highly trained peer mediators and are often more willing to actively engage in the mediation process with them. (The court's dependency mediation staff recently published a dependency manual for parents, which is written in straightforward lan-

guage, further helping parents understand and navigate the court system.) Second, Judge Hitchens was instrumental in securing federal grants that helped San Francisco County be selected as a demonstration site for the SafeStart Initiative and the Greenbook Project. Both of these projects involve the court working with the community to develop interventions on behalf of children exposed to domestic and community violence. Finally, she created the Multi-Agency Juvenile Justice Improvement Committee (MAJJIC), whose goal is to overcome system barriers and coordinate services for youth. On September 28, 2001, MAJJIC convened a Youth Summit, providing an opportunity for youth involved with the juvenile court to share their thoughts, concerns, and experiences and then make recommendations that were presented to policymakers in San Francisco.

Judge Hitchens's commitment to fairness and equal access in the legal process is not confined to her court. She is a faculty member of the California Center for Judicial Education and Research (CJER), where she chairs a committee to design judicial training in the area of sexual orientation fairness. She is currently on the Judicial Council and has served on its Access and Fairness Advisory Committee. ■

Files Online

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accessing them. In other words, although all unsealed court records are public, if the public wants to view them, they have to go to the courthouse and request the documents. However, such "practical obscurity" disappears when records are posted online. By making electronic records available remotely on the Internet, records could be freely accessed, copied, and widely disseminated, CTAC's report notes. Such concerns

prompted the committee's decision to include restrictions on the types of records that would be made available remotely.

"Many of us on the committee began this undertaking with the view that any court record currently accessible to the public should be similarly available, without limitation, in electronic form—we have been convinced otherwise," Justice Parrilli told

the council. "A central premise of the new rules is that there is a fundamental and qualitative difference in making information available in electronic form. Practical obscurity or pragmatic limitations that existed under traditional paper searches disappear when documents in a file become available to anyone with a Web browser and a search engine."

In an effort to protect the privacy of individuals and stem widespread dissemination of personal information, such as social security numbers, financial information, credit card numbers, and mental health histories, the new rules restrict electronic access to electronic court records in criminal, juvenile, guardianship, conservatorship, mental health, civil harassment, child custody and support, and divorce proceedings to public terminals at the courthouse.

Without these controls, there is a greater opportunity to misuse information, says Alan Slater, the Superior Court of Orange County's Executive Officer and former CTAC member. He agrees that the courts have a responsibility to protect the public's personal information.

"In the past, no one would look up your divorce case to steal your social security number," says Mr. Slater. "But now technology and the Internet have made it possible to easily search court documents for this kind of sensitive information in cases in which the parties have an expect-

tation of privacy. Other records might contain tax returns and information about children in family law proceedings."

Although many of the state's superior courts, such as those in Alameda, Los Angeles, Sacramento, and San Francisco Counties, have been posting court information online for some time, no statewide, overarching guidelines have been established until now. "The policies in the new rules are of particular statewide concern because many courts are implementing electronic filing, but are uncertain what their obligations are with respect to providing public access to these filings through the Internet," CTAC's report states. The policies, which were modeled after actions taken by the federal courts, are "to ensure uniform access practices among the 58 counties."

According to CTAC's report, while all of the state's 58 counties currently have public Web sites, 16 of those provide directory information only and offer no case information, so it is unclear how much implementing such a system will cost. However, committee members contend that providing the public electronic access to court records will cost less than paying court personnel to manually retrieve and copy paper documents.

Each court will be given the authority to negotiate contracts with outside vendors to establish systems to provide public

access to court records. A court's contract with a vendor must be consistent with the new rules and require the vendor to provide access while still protecting confidentiality.

Under the new rules, courts may charge a fee for providing electronic access to court documents. However, there is also a caveat in the rules that stipulates that courts are not required to provide electronic access if resources are not available to provide such a service. But if electronic access is not feasible, the court must still make all of its public records available in some form, such as paper copies.

CTAC is scheduled to report back to the council by January 2004 on the experience of state courts in providing electronic access to court records over the Internet and on other related issues.

"We must keep clearly in mind that the proposed rules are not seen as the final word on electronic access to court records," added Justice Parrilli. "The rules should be seen as California's next step in fostering an appropriate joinder of technology and case management responsibilities."

● To view the report in its entirety, visit www.courtinfo.ca.gov/rules/reports/documents/rules06.pdf. For more information, contact Jane Evans, senior business systems analyst at the AOC, 415-865-7414; e-mail: jane.evans@jud.ca.gov. ■

